

Message Text

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TO AMEMBASSY BONN PRIORITY

INFO USMISSION BERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO

AMEMBASSY ANKARA

AMEMBASSY VIENNA

AMEMBASSY COPENHAGEN

AMEMBASSY ROME

AMEMBASSY BELGRADE

AMEMBASSY THE HAGUE

C O N F I D E N T I A L STATE 114937

E.O. 11652: GDS

TAGS: PGOV, ETRN, WB, GE, YO, DA, NL

SUBJECT: NORTH SOUTH FLIGHTS TO BERLIN: DUTCH APPROACH

REF: STATE 229286

1. DUTCH EMBOFFS (DEJONGE AND KROL) CALLED AT

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DEPARTMENT MAY 30 TO PRESENT NOTE ASKING FOR US

ASSISTANCE IN OBTAINING KLM LANDING RIGHTS IN WEST BERLIN. EMBASSY REPS INDICATED THAT DUTCH WOULD BE MAKING SIMILAR PRESENTATIONS TO BRITISH AND FRENCH IN THEIR CAPITALS. SUBSTANTIVE TEXT OF DUTCH NOTE FOLLOWS:

2. BEGIN TEXT. NEGOTIATIONS ON CIVIL AVIATION MATTERS BETWEEN DELEGATIONS FROM THE GOVERNMENT OF THE NETHERLANDS AND THE GERMAN DEMOCRATIC REPUBLIC TOOK PLACE IN THE HAGUE BETWEEN 18 AND 23 OCTOBER LAST YEAR. DURING THE NEGOTIATIONS THE NETHERLANDS DELEGATION TOOK THE VIEW THAT IT SHOULD ONLY INITIAL AN AGREEMENT THAT SATISFACTORILY ENSURED THE RIGHT FOR KLM TO OVERFLY THE GERMAN DEMOCRATIC REPUBLIC TO WEST BERLIN. THIS IN SPITE OF THE FACT THAT THE EXERCISE OF THIS RIGHT WOULD FOR THE TIME BEING BE PRECLUDED BY THE THREE POWER'S REFUSAL IN 1972 TO GRANT, AT THE REQUEST OF THE NETHERLANDS GOVERNMENT

KLM LANDINGRIGHTS IN WEST BERLIN.

THE NETHERLANDS GOVERNMENT'S APPROACH TO THE GERMAN DEMOCRATIC REPUBLIC WAS BASED ON THE FOLLOWING CONSIDERATIONS:

A. THE ESTABLISHMENT OF A SCHEDULED KLM SERVICE BETWEEN AMSTERDAM AND WEST BERLIN REMAINS ONE OF THE OBJECTIVES OF THE NETHERLANDS GOVERNMENT.

B. THIS OBJECTIVE SERVES THE POLITICAL INTERESTS OF WEST BERLIN AND ENHANCES THE IMPORTANCE AND STATUS OF THE BERLIN AIRFIELDS COMPARED WITH THOSE OF EAST BERLIN.

C. IN VIEW OF EARLIER STATEMENTS MADE BY THE THREE ALLIED POWERS, NEGOTIATIONS ON THE CONCLUSION OF A BILATERAL AIR AGREEMENT WITH THE GERMAN DEMOCRATIC REPUBLIC WOULD OBVIOUSLY PROVIDE A FAVOURABLE OPPORTUNITY TO SECURE OVERFLYING RIGHTS FROM THE GERMAN DEMOCRATIC REPUBLIC.

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THE GERMAN DEMOCRATIC REPUBLIC DELEGATION, HOWEVER, DID NOT WISH TO SETTLE THE QUESTION OF PERMISSION TO OVERFLY THE GERMAN DEMOCRATIC REPUBLIC FOR THE DESTINATION WEST BERLIN IN ANY WAY WHATEVER, NOR DID IT WISH ANY MENTION OF IT TO BE MADE IN THE TEXT OF, OR EVEN IN CONNECTION WITH, ANY AGREEMENT WHICH MIGHT BE REACHED.

THE GERMAN DEMOCRATIC REPUBLIC DELEGATION EXPLAINED THAT ITS GOVERNMENT FELT QUITE COMPETENT IN THE MATTER BUT THAT IT COULD NOT EXERCISE ITS COMPETENCE, AS LONG AS THE FORMER FOUR OCCUPYING POWERS HAD NOT REACHED AN INTERNATIONAL AGREEMENT ON AIR SERVICES TO WEST BERLIN RECOGNIZING THE GERMAN DEMOCRATIC REPUBLIC'S AFOREMENTIONED COMPETENCE.

ALTHOUGH COMPLETE AGREEMENT WAS REACHED ON ALL OTHER POINTS, THE NEGOTIATIONS WERE SUSPENDED UNTIL FURTHER NOTICE, BECAUSE THE BERLIN QUESTION COULD NOT BE SETTLED.

IT IS IN VIEW OF THE FOREGOING THAT THE NETHERLANDS GOVERNMENT URGENTLY APPEALS TO THE GOVERNMENT OF THE UNITED STATES OF AMERICA TO GRANT KLM LANDING

RIGHTS IN WEST BERLIN. THE NETHERLANDS GOVERNMENT WISHES TO EMPHASISE IN THIS RESPECT THAT IT MAINTAINS ITS ATTITUDE AS ALREADY OUTLINED IN THE NOTE OF MARCH 17, 1973, FROM THE ROYAL NETHERLANDS EMBASSY IN BONN TO THE EMBASSY OF THE UNITED STATES OF AMERICA THERE, AND THIS EMBASSY'S NOTE OF MAY 18, 1972, TO THE MINISTRY TO THE EFFECT THAT KLM WOULD FLY ON A NORTH/SOUTH ROUTE, NOT USING ALLIED CORRIDORS.

IN ADDITION TO THE FOREGOING, THE NETHERLANDS GOVERNMENT WISHES TO MAKE THE FOLLOWING OBSERVATIONS:

A. THE NETHERLANDS GOVERNMENT, AT THE SPECIAL REQUEST OF THE UNITED STATES GOVERNMENT, AND FOR BROADER POLITICAL REASONS, GRANTED PANAM PERMISSION IN 1972
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TO OPERATE A DAILY SERVICE BETWEEN AMSTERDAM AND WEST BERLIN, NOTWITHSTANDING THE UNFAVORABLE CONSEQUENCES TO BE EXPECTED FOR THE COMMERCIAL PROSPECTS OF A SIMILAR KLM SERVICE.

B. THE NETHERLANDS GOVERNMENT IS WONDERING HOW LONG IT CAN AFFORD TO ALLOW THE CONCLUSION OF AN AIR AGREEMENT WITH THE GERMAN DEMOCRATIC REPUBLIC TO DEPEND ON THE GRANTING BY THE GERMAN DEMOCRATIC REPUBLIC OF THE NETHERLANDS REQUEST FOR OVERFLYING RIGHTS IF SUCH RIGHTS REMAIN MEANINGLESS BY THE REFUSAL OF THE THREE POWERS TO GRANT THE CORRESPONDING LANDING RIGHTS.

C. THE NETHERLANDS GOVERNMENT IS OF THE OPINION THAT

GRANTING OF LANDING RIGHTS TO KLM AT WEST BERLIN
BY THE THREE POWERS IN ITSELF IMPLIES EFFECTIVE
GERMAN DEMOCRATIC REPUBLIC COMPETENCE TO GRANT
THE CORRESPONDING OVERFLYING RIGHTS, AND WOULD
CONSEQUENTLY INVALIDATE THE ARGUMENT OF THE GERMAN
DEMOCRATIC REPUBLIC THAT ITS COMPETENCE IN THE
MATTER MUST BE CONFIRMED BY THE FORMER OCCUPYING
POWERS. IF THE GRANTING OF LANDING RIGHTS WOULD
NOT IMPLY THE RECOGNITION OF THE GERMAN DEMOCRATIC
REPUBLIC COMPETENCE, SUCH GRANTING WOULD BE
MEANINGLESS. END TEXT.

3. DEPT OFF BRIEFLY REVIEWED US POSITION ON NON-
THREE POWER FLIGHTS TO WEST BERLIN, SAID THE US
SYMPATHETIC WITH DUTCH OBJECTIVES AND WOULD DO WHAT
WE COULD TO OBTAIN FAVORABLE TRIPARTITE RESPONSE.
EMBASSY ACCORDINGLY IS REQUESTED TO RAISE DUTCH
NOTE WITH UK AND FRENCH IN BONN, INDICATING OUR
WILLINGNESS RESPOND FAVORABLY TO DUTCH, WHILE
RECOGNIZING OF COURSE THAT SIMILAR POSITIVE RESPONSE
ALSO WILL HAVE TO BE GIVEN TO OUR OTHER NATO ALLIES
LIKE THE TURKS WHO HAVE FILED WITH THE THREE POWERS
FOR PERMISSION TO LAND IN WEST BERLIN. WE WOULD
ALSO HAVE TO RECOGNIZE THAT EXTENT OF POSSIBLE
KLM SERVICE TO WEST BERLIN WOULD HAVE TO BE REVIEWED
IN TERMS TRAFFIC POTENTIAL AND OTHER ECONOMIC FACTORS.
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